

9-131.000

THE HOBBS ACT -- 18 U.S.C. § 1951

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9-131.010 Introduction

This chapter focuses on the Hobbs Act (18 U.S.C. § 1951) which prohibits actual or attempted robbery or extortion affecting interstate or foreign commerce. Section 1951 also proscribes conspiracy to commit robbery or extortion without reference to the conspiracy statute at 18 U.S.C. § 371. Although the Hobbs Act was enacted as a statute to combat racketeering in labor-management disputes, the statute is frequently used in connection with cases involving public corruption, commercial disputes, and corruption directed at members of labor unions.

The Criminal Resource Manual contains a discussion of Hobbs Act case law and form indictments

Generally	Criminal Resource Manual at 2402
Extortion By Force, Violence, or Fear	Criminal Resource Manual at 2403
Under Color of Official Right	Criminal Resource Manual at 2404
Form Indictment -- Interference with Commerce by Extortion	Criminal Resource Manual at 2405
Form Indictment -- Interference with Commerce by Robbery (18 U.S.C. § 1951)	Criminal Resource Manual at 2406

9-131.020 Investigative and Supervisory Jurisdiction

Primary investigative jurisdiction of offenses in 18 U.S.C. § 1951 lies with the Federal Bureau of Investigation. The Inspector General's Office of Investigations, Division of Labor Racketeering (formerly the Office of Labor Racketeering), United States Department of Labor, is also authorized to investigate violations of 18 U.S.C. § 1951 in labor-management disputes involving the extortion of property from employers by reason of authority conferred on investigators as Special Deputy United States Marshals.

Supervisory jurisdiction over 18 U.S.C. § 1951 is exercised by the following offices with respect to the offenses noted:

- A. Extortion under color of official right or extortion by a public official through misuse of his/her office is supervised by the Public Integrity Section, Criminal Division.
- B. Extortion and robbery in labor-management disputes is supervised by the Labor-Management Unit of the Organized Crime and Racketeering Section, Criminal Division.
- C. All other extortion and robbery offenses not involving public officials or labor-management disputes are supervised by the Terrorism and Violent Crimes Section, Criminal Division.

9-131.030 Consultation Prior to Prosecution

Consultation with the Organized Crime and Racketeering Section's Labor-Management Unit is required prior to the commencement of prosecution by the return of an indictment or the filing of a complaint or information in cases arising out of labor-management disputes.

Criminal Division attorneys may be consulted at any stage during the investigation process. When a United States Attorney requests an FBI investigation of a possible Hobbs Act violation, the FBI field offices will in certain cases notify Washington and FBI headquarters may consult with the appropriate Section of the Criminal Division before the investigation is concluded. Any delay or other difficulties arising out of this procedure may be obviated by discussing the matter with the appropriate Sections of the Criminal Division.

9-131.040 Policy

The robbery offense in 18 U.S.C. § 1951 is to be utilized only in instances involving organized crime, gang activity, or wide-ranging schemes. In certain circumstances, the appropriate section of the Criminal Division must be consulted before prosecution is initiated.

See USAM 9-131.030.